

APPROVED—February twenty-sixth, one thousand eight hundred and fifty-seven.

W. A. GORMAN.

SECRETARY'S OFFICE, Minnesota, }  
SAINT PAUL, March 10th, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,  
Acting Secretary.

## CHAPTER XLV.

### *An Act to Incorporate the Fremont City University of Minnesota.*

- SECTION 1 Incorporation and Powers.  
2 Appointment of Trustees.  
3 No religious test to be required.  
4 Location.  
5 Hold meeting and elect Officers.  
6 Treasurer to give Bond.  
7 relating to suits.  
8 Power of Trustees.  
9 May prescribe course of Studies.  
10 Quorum and Meetings.  
11 Preparatory Department.  
12 Notice of first meeting.

*Be it enacted by the Legislative Assembly of the Territory of Minnesota:*

SECTION 1. That there be established at Fremont City, in the county of Wright, an institution by the name of Fremont City University of Minnesota, and that Heman Woodworth, W. T. Babitt, Wm. McDonald, H. W. McCrary, F. M. Codwell, Able Kent, Z. E. B. Nash, Wm. Gareebe, Jah. McDonald, W. D. Cambell, Jas. Campbell, J. W. Andrews, O. S. Foulter, E. G. Matthews, Dr. Whelclock and Rev. Mr. Whitney, their associates and successors in office, be and they are hereby created a body politic and corporate, to be styled the trustees of the Fremont City University of Minnesota, and shall be trustees of said corporation for the purpose of establishing, maintaining and conducting an institution of learning for the education of youth of both sexes; and by the aforesaid corporate name to remain in perpetual succession, with full power to sue and be sued, plead and be impleaded, to acquire, hold and convey property, real, personal and mixed, in all lawful ways; to have and to use a common seal, and to alter the same at pleasure; to make and alter from time to time such by-laws as they may deem proper and necessary for the government of said institution, its officers and agents, **Provided**, Such by-laws be not inconsistent with this act, the Constitution, or of this Territory; and also have power to

confer on such person or persons as they may deem worthy, all honors and degrees as are usually conferred by the most learned institution of the United States.

**Trustees**

SEC. 2. There shall at all times be twelve trustees of said corporation, together with a board of visitors, to be appointed annually by said trustees.

**No test**

SEC. 3. No religious test shall be required of any person to entitle him or her to all the benefits of said institution, and no student shall be required to attend the religious worship of any particular denomination except as specified by the student, his parents or guardians.

**Location**

SEC. 4. The said university shall be located at Fremont City, and shall afford complete facilities to perfect the scholars not only in the arts and sciences, but in the professions of law, medicine and divinity: *Provided*, That at no time the trustees shall be required to exceed the means under their control as trustees.

**First meeting**

SEC. 5. The board of trustees shall hold their first meeting at Fremont City, within six months from the passage of this act: *Provided*, That if a quorum shall fail of meeting, the members present shall have the right to organize and adjourn to such time and place as they may deem proper to secure a quorum of the board, who shall elect a president of the board, two vice-presidents, a treasurer and secretary; and such officers, when elected, shall constitute an executive committee, and such committee shall have power to execute all business of the corporation committed to them by the laws of the institution.

**Elect officers****Treasurer to give Bond**

SEC. 6. The treasurer before entering upon the duties of his office, shall give bond in such penal sum and with such security as the trustees shall by vote direct and approve, conditioned in the faithful performance of his duties, and the delivery to his successor at the expiration of his office, all funds and other property, books and other papers in his possession, belonging to said University; and all other officers and agents, before entering upon their duties, shall give bonds if required by the board of trustees.

**Suits to be served by summons**

SEC. 7. All suits against said corporation shall be by summons, which shall be served by leaving an attested copy of the same with the president or treasurer at their office, at least twenty days before the return thereof.

**Trustees—their Powers**

SEC. 8. The trustees shall have authority to appoint and employ all officers, teachers and agents of the institution, and shall have power to displace any or all of them as the interests of the institution may require, to fill vacancies which may happen by death, resignation or otherwise among such officers, teachers and agents, as in their own board. All elections of trustees, president of the university, professors,

**Elections by ballot**

officers and agents, shall be by ballot, and at some annual meeting, shall be designated at the first meeting of said trustees, and shall in no case be altered except by a two-thirds vote of the trustees present at any regular meeting.

SEC. 9. The trustees shall have power to prescribe and regulate the course of studies to be pursued in said institution, to fix the rate of tuition and other expenses, to make rules for the regulation of the conduct of the students and for the expulsion of such as are disorderly; they shall faithfully apply all funds by them collected or received, according to their best judgment, in erecting suitable buildings, supporting the necessary officers, instructors and agents, in procuring books and apparatus necessary to the success of the institution: *Provided however*, That in case any donation or bequest be made for any purpose, which accords with the design of the institution, the trustees shall receive and accept the same, and shall apply such donation or bequest in conformity with the condition or desire of the donor; and all corporate property, whether real, personal or mixed, shall be free from taxation, to the amount of thirty thousand dollars.

Course of Study

Donations

SEC. 10. The board of trustees may meet on their own adjournment, any seven of whom shall constitute a quorum for the transaction of business, and the president with the concurrence of two trustees, or any four trustees may call special meetings of the board, by giving notice to the members thereof in writing, or otherwise, at least thirty days before the time of such meeting, and any trustee may be removed for a neglect of duty for more than one year.

Quorum

Notice of Special meeting

SEC. 11. The trustees of the University shall have power to establish a preparatory department, to raise, collect and receive funds to erect buildings, appoint a principal professor, and do all necessary acts for the establishment, maintaining and conducting of the preparatory department, and all appointments and officers of said department to be governed by this charter. This act to be construed liberally by all the courts for the purpose herein expressed.

Trustees

Powers

SEC. 12. Any three of the corporators named in this act may call the first meeting of the trustees, by giving two weeks' notice thereof in one or more newspapers published in this Territory.

First meeting

J. W. FURBER,  
Speaker of the House of Representatives.  
JOHN B. BRISBIN,  
President of the Council.

APPROVED—March sixth, one thousand eight hundred and fifty-seven.

W. A. GORMAN.

SECRETARY'S OFFICE, Minnesota, }  
SAINT PAUL, March 10, 1857. }

I certify the above to be a true copy of the original on file in this office.

J. J. McCULLOUGH,  
Acting Secretary.